



# SENATE BILL 478: Removal Power/Modify Reporting.

2019-2020 General Assembly

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<b>Committee:</b>	Senate State and Local Government. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	April 16, 2019
<b>Introduced by:</b>	Sen. Sawyer	<b>Prepared by:</b>	Brad Krehely
<b>Analysis of:</b>	First Edition		Committee Co-Counsel

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**OVERVIEW:** *Senate Bill 478 provides a process to remove appointees of the General Assembly for misfeasance, malfeasance, or nonfeasance and modifies the reporting requirement for gender-proportionate appointments to certain boards and commissions. The act is effective when it becomes law.*

## **BILL ANALYSIS:**

### Section 1

**Section 1** provides that any person appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives must be removed from office by the Governor for misfeasance, malfeasance, or nonfeasance upon the written recommendation of the Speaker of the House of Representatives. Any person appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate must be removed from office by the Governor for misfeasance, malfeasance, or nonfeasance upon the written recommendation of the President Pro Tempore of the Senate. The Governor must remove the appointee within 30 days after receiving the written recommendation of removal.

### Section 2

Under current law, each State appointing authority that makes appointments to a statutorily created public body, however denominated, except those having only advisory authority, shall file an annual report with the Secretary of State on gender-proportionate appointments. The Secretary of State must submit to the Governor, the Speaker, and the President Pro Tempore by July 1 of each year the names of all State bodies on which an appointing authority must report. The report discloses the number of appointments made during the preceding year and the number of appointments of each gender made, expressed both in numerical terms and as a percentage of the total membership of the body. G.S. 143-157.1

**Section 2** changes who is responsible for making the report. Instead of having the State appointing authority make the report, every public body whose membership is composed of appointees selected by a State or local appointing authority must submit the report the required in G.S. 143-157.1 to the Secretary of State by September 1 of each year. A public body is any entity designated as a nonadvisory board by the State Ethics Commission. This section makes other technical and conforming changes.

**EFFECTIVE DATE:** The act is effective when it becomes law.

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